

SECTION 4. This Act takes effect September 1, 2017.

Passed the Senate on April 19, 2017: Yeas 31, Nays 0; passed the House on May 17, 2017: Yeas 129, Nays 14, two present not voting.

Approved May 29, 2017.

Effective September 1, 2017.

**INCREASING THE PUNISHMENT FOR THE OFFENSE OF
ABUSE OF A CORPSE**

CHAPTER 299

S.B. No. 524

AN ACT

relating to increasing the punishment for the offense of abuse of a corpse.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 42.08(b), Penal Code, is amended to read as follows:

(b) An offense under this section is a *state jail felony, except that an offense under Subsection (a)(5) is a Class A misdemeanor.*

SECTION 2. The change in law made by this Act applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

SECTION 3. This Act takes effect September 1, 2017.

Passed the Senate on April 25, 2017: Yeas 31, Nays 0; passed the House on May 22, 2017: Yeas 142, Nays 0, three present not voting.

Approved May 29, 2017.

Effective September 1, 2017.

**PROVISION OF SERVICES AND RESOURCES TO CERTAIN
INDIVIDUALS BY A STATE SUPPORTED LIVING CENTER
AND TO THE CREATION OF A SCHEDULE OF SUPPORT
SERVICES A STATE SUPPORTED LIVING CENTER MAY
PROVIDE AND PROCEDURES FOR ESTABLISHING
APPLICABLE FEES FOR THOSE SERVICES**

CHAPTER 300

S.B. No. 547

AN ACT

relating to the provision of services and resources to certain individuals by a state supported living center and to the creation of a schedule of support services a state supported living center may provide and procedures for establishing applicable fees for those services.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 161.080, Human Resources Code, is amended by amending Subsection (b) and adding Subsections (c), (d), and (e) to read as follows:

(b) Notwithstanding any other law, a state supported living center may provide nonresidential services to support an individual if:

~~[(1) the individual:~~

~~[(A) is receiving services in a program funded by the department;~~

~~[(B) meets the eligibility criteria for the intermediate care facility for persons with an intellectual disability program; and~~

~~[(C) resides in the area in which the state supported living center is located; and~~

~~[(2)] the provision of services to the individual does not interfere with the provision of services to a resident of the state supported living center.~~

(c) The executive commissioner by rule shall establish:

(1) a list of services a state supported living center may provide under a contract described by Subsection (a); and

(2) procedures for the commission to create, maintain, and amend as needed a schedule of fees that a state supported living center may charge for a service included in the list described by Subdivision (1).

(d) In creating a schedule of fees, the commission shall:

(1) use the reimbursement rate for the applicable service under the Medicaid program; or

(2) modify that rate with a written justification for the modification and after holding a public hearing on the issue of the modification.

(e) Notwithstanding Subsection (c), a state supported living center, based on negotiations between the center and a managed care organization, as defined by Section 533.001, Government Code, may charge a fee for a service other than the fee provided by the schedule of fees created by the commission under this section.

SECTION 2. Not later than September 1, 2018, the executive commissioner of the Health and Human Services Commission shall adopt the rules listing services a state supported living center may provide under a contract and the procedures for the commission to create the schedule of fees for those services, as required by Section 161.080, Human Resources Code, as amended by this Act.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2017.

Passed the Senate on April 26, 2017: Yeas 30, Nays 1; passed the House on May 21, 2017: Yeas 128, Nays 14, one present not voting.

Approved May 29, 2017.

Effective May 29, 2017.

**SERVICES PROVIDED BY THE HEALTH AND HUMAN
SERVICES COMMISSION TO SEXUALLY VIOLENT
OFFENDERS WHO ARE INCOMPETENT TO ATTEND SEX
OFFENDER TREATMENT**

CHAPTER 301

S.B. No. 613

AN ACT

relating to services provided by the Health and Human Services Commission to sexually violent offenders who are incompetent to attend sex offender treatment.